



City of Carmel

CARMEL PLAN COMMISSION

June 19, 2007

Memorandum of Meeting

Members Present: Leo Dierckman, Jay Dorman, Wayne Haney, Kevin Heber, Rick Ripma, Carol Schleif, Sally Shapiro, thereby constituting a quorum.

Minutes of the May 15, 2007 meeting were approved as submitted.

DOCS Staff in attendance: Angelina Conn, Adrienne Keeling. John Molitor, legal counsel was also present.

Legal Report, John Molitor. There is a gray area with sharing emails with more than 3 Commission members. The Open Door Law will probably be amended and that will mean a change to the Rules of Procedure as well. At this time, it is recommended that no one Plan Commission member send an email to more than one person at a time until changes are made regarding rights and responsibilities. If there is an urgent situation, it would be addressed by the President prior to the next meeting.

Department Report, Angie Conn: Regarding Item 2H, Pro-Med Lane Holiday Inn has had no new submissions, nothing new to report, and the Department is recommending this item be tabled to the next meeting, July 17, 2007.

Rick Ripma made formal motion to TABLE Docket No. 07030035DP, Pro-Med Lane Holiday Inn to the next meeting, seconded by Carol Schleif, Approved 8-0.

H. Public Hearings

1H. TABLED to JULY 17 Meeting:

Docket No. 07030037 DP/ADLS: Midland Atlantic—Market Place at West Carmel

~~The applicant seeks site plan and design approval for a proposed one-story, 21,600-square foot retail building on 2.73 acres.~~

~~The site is located at the northeast corner of 98th Street and Michigan Road, and is zoned B3/Business, and is within the US 421 Overlay.~~

~~Filed by Paul Reis of Bose McKinney & Evans, LLP for Midland Atlantic Properties~~

2H. TABLED to July 17, 2007

Docket No. 07030035 DP: Pro-Med Lane - Holiday Inn

The applicant seeks site plan approval for a proposed full-service hotel. Elevations and an ADLS/DP Amend application will be submitted at a later date.

The site is located at 136th Street and Pro-Med Lane, and is zoned B-6/Business within the US 31/Meridian Street Overlay. Filed by Stacey of DeBoy Land Development Services, Inc. for Justus Home Builders, Inc.

Note: Items 3H and 4H were heard together.

3H. Docket No. 07040022 PP: Justus Business Park, lots 1-2

The applicant seeks primary plat approval for 2 lots on 7.298 acres.

The site is located at the southeast corner of 136th St. and Pro Med Ln. and is zoned B-6/Business within the US 31 Overlay

Filed by Paul Reis of Bose McKinney & Evans for Justus Home Builders

Present for Petitioner: Paul Reis, Attorney, Bose McKinney & Evans. Also present: Chris Miller, Justus Homes, Inc., Rick Reynolds, EMH&T, project manager.

Public Remonstrance/Favorable

Virginia Kerr, 13595 Kensington Place, Carmel. Ms. Kerr is a former Plan Commission member who participated in crafting the Meridian Corridor Overlay. The neighbors are very happy to see the office building project as long as it meets the criteria of the US 31/Meridian Overlay. FYI: Kensington Place is a Townhome development, not Condominium. The residents are concerned with subdividing 7 acres and spinning off approximately 2.65 acres—the Overlay requirements need to be a part of whatever development comes in. The residents request that any development be required to meet the criteria of the Overlay. The residents also feel that it should be a complete office park and not a Holiday Inn on a portion of the site.

Sharon Oldham, 13534 Kensington Place HOA president, looks forward to being good neighbors and is very happy about the office development. Ms. Oldham asked if a traffic study had been done to determine traffic considerations. Ms. Oldham has spoken with the Carmel Police Dept. and there have been 44 reported accidents at the location of Smokey Row/136th Street and US 31/Meridian Street. The residents are asking that traffic concerns be addressed together with the development.

John Kerr, 13595 Kensington Place, Managing Partner of Kensington Partners, expressed concern about the drainage easement from the parking lot on the north side of the site to a beehive behind Lot 17. It was Mr. Kerr's understanding that the drainage would flow south to a retention pond. Mr. Kerr was concerned about drainage/run-off water, and would like Justus Homes to keep him apprised of the situation.

Disposition: Docket No. 07040022 PP, Justus Business Park, lots 1-2; forwarded to the Special Studies Committee for further review on June 28, 2007 at 6:00 PM in the Caucus Rooms of City Hall, Carmel.

4H. Docket No. 07040023 DP Amend/ADLS Amend: Justus Business Park, lot 2 – Justus Office Building

The applicant seeks site plan & design approval for an office building. The site is located southeast of 136th St. and Pro Med Ln. and is zoned B-6/Business within the US 31 Overlay.

Filed by Paul Reis of Bose McKinney & Evans for Justus Home Builders.

See Item 3H.

Disposition: Docket No. 07040023 DP Amend/ADLS/Amend was referred to the Special Studies Committee on June 28, 2007 at 6:00 PM in the Caucus Rooms of City Hall.

5H. Docket No. 07030037 DP/ADLS: West Carmel Marketplace - Burger King

The applicant seeks site plan and design approval for a proposed restaurant building. The site is located at 9853 N Michigan Rd, and is zoned B-3/Business within the US 421 Overlay. Filed by Richard Sampson of Burger King Corp.

Present for Petitioner: Mike Dauss, Dauss Architects, 227 Historic West 11th Street, Anderson, Indiana 46016, and Dick Sampson of Burger King Corp.

No public remonstrance.

Disposition: Forwarded to Special Studies Committee for further review on June 28, 2007 at 6:00 PM in the Caucus Rooms of City Hall.

6H. Docket No. 07040021 DP/ADLS: Irwin Union Bank, Carmel Science & Tech Park, Block 11, Lot 3

The applicant seeks site plan and design approval for a bank building.

The site is located at the 700 block of West Carmel Dr. and is zoned M-3/Manufacturing.

Filed by Jim Shinaver of Nelson & Frankenberger for Irwin Union Realty Corp.

Present for Petitioner: Jim Shinaver, attorney, Nelson & Frankenberger. Also present: Brandon Burke, Schneider Engineering

No public remonstrance

Dept. Concerns: Dumpster location, signage square footage to be in concert with the Ordinance, Engineering Comments still open, request striping to connect with crosswalk, north and west sides of bike rack are a concern.

Disposition: Referred to Special Studies Committee for further review on June 28, 2007 at 6:00 PM in the Caucus Rooms of City Hall.

7H. Docket No. 07040024 DP: 1328-1440 W. Main Street

The applicant seeks development plan approval for five buildings.

The site is located at the NE corner of US 31 (Meridian) and W. Main Street and is zoned Old Meridian Special Use (OMSU), S2, and is within the US 31 Overlay, pending a B-6/Business Rezone. Filed by Jamie Browning of Browning Real Estate Partners.

Present for Petitioner: Jamie Browning, 1473 Crestwood Plain, Carmel, Vice President, Browning Real Estate Partners.

Public Remonstrance/Unfavorable:

Judy Stamper, 1307 Lynn Dr., Carmel, North Meridian Heights Residents for Conscious Development, opposed to the zoning that would allow a 100-foot building; also, a 25 foot buffer perimeter would destroy many mature trees and invade the privacy of the residents. Additional concerns: light, noise, water runoff, drainage, possible flooding, and eradication of one of the last, small, remaining areas of forest in a residential area that would displace wildlife into the streets.

John Palmer, 1303 Lynn Drive whose west fence is adjacent to the proposed building. The parking lot and the lights would be too close and would affect the homes—a 25 foot buffer is not enough—if approved, a 50-foot buffer should be required. Mr. Palmer felt that a 10-foot building would have an adverse, economic effect on his home if he ever tried to sell it. Mr. Palmer was also opposed to a 10-story building and urged the Commission not to approve the plan.

Dept Concerns: Engineering is concerned with the pond location; the City Forester has not yet approved the landscaping.

Commission Comments: Removal of one of the buildings would improve the plan; too much parking, not enough green space; request permeable pavers and incorporation of LEEDS components.

Disposition: Referred to the Special Studies Committee for further review on June 28, 2007 at 6:00 PM in the Caucus Rooms of City Hall.

8H. Docket No. 07020020 OA: US 31 & 421 Overlay Architectural Design Amendment

The applicant seeks to Amend the Zoning Ordinance, *Chapter 23B: US Highway 31 Corridor Overlay Zone* and *Chapter 23C: US Highway 421 – Michigan Road Corridor Overlay Zone*, in order to amend the Architectural Design Requirements. Filed by the Carmel Department of Community Services.

Present for Petitioner: Adrienne Keeling, Department of Community Services

No public remonstrance.

Commission Comments: recommend combination of brick and masonry fences, Not wood, especially as it weathers; also suggestion of cedar fencing.

Note: Currently there are no fence standards for perimeter fences between residential and commercial.

Disposition: Sent to Special Studies Committee for further review on June 28, 2007 in the Caucus Rooms of City Hall at 6:00 PM.

9H. Docket No. 07050023 OA: Monon Trail Overlay Zone

The applicant seeks to adopt *Chapter 23H: Monon Trail Overlay Zone* into the Carmel Zoning Ordinance.

Filed by the Carmel Department of Community Services.

Present for Petitioner: Adrienne Keeling, Department of Community Services.

Public Remonstrance/General, Favorable:

Judy Hagan, 10946 Spring Mill Lane, was in favor of the proposed Overlay and felt that some comprehensive plan needed to be in place. Some developments have previously encroached on the Monon Trail. The Park Director will have the final sign-off for projects along the trail.

Public Hearing Closed.

Jay Dorman asked for positive and negative impacts on some parcels and maybe some examples of improvements along the Monon.

Sally Shapiro recommended examples be submitted from Parks Dept., Mark Westermeier.

Disposition: Referred to the Subdivision Committee for further review on August 7, 2007 at 6:00 PM in the Caucus Rooms of City Hall.

Note: Public Input/Recommendations will be taken in the interim.

I. Old Business

1I. Docket No. 07020014 Z: Westmont PUD

The applicant seeks to rezone property from S1/Residence to PUD/Planned Unit Development for the purpose of creating a single family detached residential subdivision. The site is located at 2000 West 136th St. Filed by Charlie Frankenberger of Nelson and Frankenberger for Platinum Properties LLC and Pittman Partners Inc.

Present for Petitioner: Charlie Frankenberger, attorney, Nelson & Frankenberger. Also present: Steve Pittman, Paul Rioux, Neal Smith, and Nick Churchill.

Engineering Dept is comfortable with the plan, providing the petitioner return at secondary plat stage to adjust the landscape island at the southern-most intersection; the City Forester has approved the landscape plan.

Motion by Jay Dorman to forward Docket No. 07020014 Z, Westmont PUD to City Council with a positive recommendation, with the following stipulations: 1) The developer will continue to work with Carmel Engineering at Secondary Plat approval for traffic calming devices for all aspects of this plat; 2) in the event the City is able to acquire easement and right-of-way on the north side of 136th Street before the planned improvement to 136th Street, the developer will install a path and device to get over the creek to connect to neighboring Saddle Creek Development. The motion was seconded by Rick Ripma, Approved 7-0.

Disposition: Forwarded to City Council with a positive recommendation 7-0 with conditions as stated. .

J. Adjournment at 8:25 PM.

File: PC-2007-0619.doc